Lsp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

TESTAMENTARY PETITION NO. 79 OF 2006

Suraiya Hakimuddin Poonawala ....Petitioner

Ms. N.A. Sawhney i/b. M/s. Hooseini Doctor & Co. for the petitioner

CORAM:- SMT. ROSHAN DALVI, J

1st August, 2008

P.C.

The Petition has been withdrawn. Refund of Rs. 66,078/- of Court fee payable by the petitioner has to be made. The refund certificate in that behalf has been issued. It has been submitted to the office of the Superintendent of Stamp, General Stamp Office, Mumbai.

2. The Petitioner' sAdvocate states that it has been lost/misplaced in the Stamp Office. The petitioner has made enquiries in the last two years but the certificate has not been traced. The Petitioner has given notice of this application to the Superintendent of Stamps by the

petitioners Advocate letter dated 28th July, 2008 received by the Superintendent of Stamps as well as the Collector of Stamps on 29th July, 2008. None has appeared pursuant to the notice. The Petitioner shall be issued a duplicate refund Certificate to enable processing of her refund of Court fee upon her executing an Indemnity Bond in that behalf. The Superintendent of Stamps/Collector of Stamps shall issue the cheque for refund of Rs. 66,078/- to the petitioner in the aforesaid petition once. No such payment shall be made upon the same refund Certificate to any party thereafter.

(SMT. ROSHAN DALVI, J)